

REMARKS

The Examiner rejected claims 4-5 and 12 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 4 and 12 have been amended and are submitted to be in proper form.

The Examiner rejected claims 1-27 on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-23 of U.S. Patent No. 7,227,166. A Terminal Disclaimer is being submitted herewith. Therefore, the rejection is submitted to be overcome.

CONCLUSION

For the reasons detailed above, it is respectfully submitted all claims remaining in the application (Claims 1-27) are now in condition for allowance.

Respectfully submitted,

FAY SHARPE LLP

December 14, 2007

Date



Joseph D. Dreher, Reg. No. 37,123
1100 Superior Avenue, Seventh Floor
Cleveland, OH 44114-2579
216-861-5582

CERTIFICATE OF ELECTRONIC TRANSMISSION

I hereby certify that this paper and/or fee is being transmitted to the USPTO by electronic transmission via EFS-Web on the date indicated below.


Roseanne Giuliani

Date:

December 14, 2007